

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 15 CVS _____

WAKE COUNTY

WAKE COUNTY, C.S.C.
THE NORTH CAROLINA STATE BAR,BY _____ Petitioner
v.STEPHANIE L. VILLAYER, Attorney,
RespondentCONSENT
TEMPORARY RESTRAINING
ORDER

THIS MATTER came on for consideration by the undersigned Judge on motion of Petitioner, the North Carolina State Bar. Petitioner was represented by Jennifer A. Porter. Respondent, Stephanie L. Villaver, was represented by Douglas J. Broucker and K. Brooke Ottesen. Based upon the consent of the parties, the Court makes the following:

FINDINGS OF FACT

1. Petitioner, the North Carolina State Bar ("State Bar"), is a state agency duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

1. Respondent, Stephanie L. Villaver ("Villaver"), was licensed to practice law in North Carolina in 2003.

2. The State Bar's membership database shows the following address for Villaver: 323 Western Blvd, Jacksonville, NC 28546.

3. The State Bar has received information which, if proven, would establish that funds placed in trust with Villaver have been misapplied.

4. The State Bar has notified Villaver of the information it has received, and Villaver acknowledges receipt of this notice and information. Villaver desires to cooperate with the North Carolina State Bar but needs additional time to consult with counsel regarding whether to consent to a preliminary injunction.

5. A need for prompt action exists to ensure that entrusted funds are not mishandled in the future.

6. Villaver stipulates to the Wake County Superior Court's jurisdiction over her person, acknowledges the Court's subject matter jurisdiction pursuant to N.C. Gen. Stat. § 84-28(f), and waives any right to challenge or appeal this order on jurisdictional grounds.

Based upon the foregoing findings, the Court makes the following:

CONCLUSIONS OF LAW

1. This Court has personal jurisdiction over Respondent and jurisdiction over the subject matter. This matter is properly before the Wake County Superior Court pursuant to N.C. Gen. Stat. § 84-28(f).

2. Prompt action, pursuant to N.C. Gen. Stat. § 84-28(f), is necessary to preserve the status quo and to ensure that no entrusted or fiduciary funds are mishandled.

3. Villaver should be enjoined from accepting any further funds from or on behalf of clients or other individuals in a fiduciary capacity, from withdrawing funds from and/or writing checks against any account in which client or fiduciary funds have been deposited, and from directing any employee or agent to withdraw funds from and/or draw a check on any account in which client or fiduciary funds have been deposited, except as expressly authorized by this order.

4. Villaver should not be permitted to serve in any fiduciary capacity, including trustee, escrow agent, settlement agent, personal representative, executor or attorney-in-fact until further order of this Court.

THEREFORE, IT IS HEREBY ORDERED:

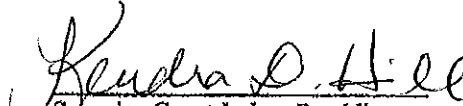
1. Stephanie L. Villaver is enjoined from accepting any further funds from or on behalf of clients or other individuals in a fiduciary capacity; writing checks against or otherwise disbursing or withdrawing funds from any account in which client or fiduciary funds have been deposited; and/or directing any employee or agent to draw a check on or otherwise disburse or withdraw funds from any account in which client or fiduciary funds have been deposited until permitted by subsequent orders of the Court.

2. The matter of preliminary injunction is scheduled for a hearing on the 28th day of September, 2015 at 10:00 A.M. in the Wake County Courthouse, Courtroom 10 C in Raleigh, North Carolina.

3. Villaver shall not serve in any fiduciary capacity, including trustee, escrow agent, settlement agent, personal representative, executor or attorney-in-fact until further order of this Court.

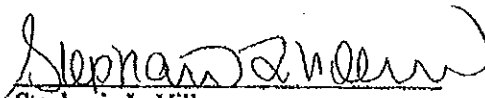
4. This Temporary Restraining Order shall remain in effect until the 28th day of September, 2015 unless extended by further orders of this Court.

THIS the 17th day of September, 2015 at 3:35 P.M.


Superior Court Judge, Presiding

WE CONSENT:


Jennifer A. Porter
Attorney for Petitioner


Stephanie L. Villaver
Respondent


K. Brooks Ottesen
Attorney for Respondent